

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

IMTEC CORPORATION,

Plaintiff,

v.

TODD E. SHATKIN and SAMUEL
SHATKIN, individually, and doing
business as SAMUEL SHATKIN
FIRST, LLC, and ANDREW
JACKSON, doing business as DENTAL
TECH LABORATORIES, LLC,

Defendants,

Case No. CIV-07-181-JHP

**ORDER AFFIRMING AND ADOPTING THE REPORT
AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

On November 21, 2007, the United States Magistrate Judge entered a Report and Recommendation granting the Defendants' Motion to Dismiss or Transfer (Dkt.# 8) insofar as it was made pursuant to Fed.R.Civ.P. 12(b)(7). The Defendants' Motion to Dismiss or Transfer (Dkt.#8) was denied as moot insofar as it sought other relief. The Plaintiff's Motion to Strike (Dkt.# 21) and the Amended Motion to Strike (Dkt.#22) were denied. Further, the United States Magistrate Judge recommended that because the action was being dismissed for lack of subject matter jurisdiction, the Plaintiff's Emergency Motion for Preliminary Injunction (Dkt. # 32) should likewise be denied.

No party has filed an objection to the Magistrate Judge's Order within the time prescribed by law.
28 U.S.C. §636(b)(1); Fed. R. Civ. P. 72(a).

This Court finds that the Report and Recommendation of the United States Magistrate Judge is supported by the record. Therefore, upon full consideration of the entire record and the issues presented herein, this Court finds and orders that the Report and Recommendation entered by the United States Magistrate Judge on November 21, 2007, be **AFFIRMED** and **ADOPTED** by this Court as its Findings and Order.

IT IS SO ORDERED this 28th day of December 2007.


James H. Payne
United States District Judge
Eastern District of Oklahoma